

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NIKOLAS GORDON KJELDERGAARD,
Plaintiff,
v.
CDCR, et al.,
Defendants.

No. 2:23-cv-2013 DJC CKD P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 29, 2023, the Magistrate Judge filed findings and recommendations herein which were served on Plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has not filed objections to the findings and recommendations.

The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate Judge's conclusions of law are reviewed de novo. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the file, the Court finds the findings and

1 recommendations to be supported by the record and by the Magistrate Judge's
2 analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. The findings and recommendations filed November 29, 2023 are adopted in
5 full; and

6 2. This action is dismissed without prejudice for failure to comply with court
7 orders. See Local Rule 110; Fed. R. Civ. P. 41(b).

8
9 IT IS SO ORDERED.

10 Dated: **January 12, 2024**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE

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